

Electricity Act, 1910

Section 18 - OVERHEAD LINES

1) Save as provided in Sec. 13-, sub-section (3), nothing in this Part shall be deemed to authorise or empower a licensee to place any⁶¹[overhead line] along or across any street, railway, tramway, canal or waterway unless and until the State Government has communicated to him a general approval in writing of the methods of construction which he proposes to adopt: Provided that the communication of such approval shall in no way relieve the licensee of his obligations with respect to any other consent required by or under this Act. (2) Where any ⁶¹[overhead line] has been placed or maintained by a licensee in breach of the provisions of sub-section (1) the State Government may require the licensee forthwith to remove the same, or may cause the same to be removed, and recover from the licensee the expenses incurred in such removal. ⁶²[(3) Where any tree standing or lying near an⁶¹overhead line] or where any structure or other object which has been placed or has fallen near an ⁶¹[overhead line] subsequently to the placing of such line, interrupts or interferes with, or is likely to interrupt or interfere with, the conveyance or transmission of energy or the accessibility of any works a Magistrate of the first class or, in a presidency-town ⁶³[* * *], the Commissioner of Police, may, on the application of the licensee, cause the tree, structure or object to be removed or otherwise dealt with as he thinks fit.] (4) When disposing of an application under sub-section (3), the Magistrate or Commissioner of Police, as the case may be, shall, in the case of any tree in existence before the placing of the⁶⁴ [overhead line], award to the person interested in the tree such compensation as he thinks reasonable, and such person may recover the same from the licensee. Gujarat. Same as in Maharashtra, [Bombay Act 8 of 1954 and Gujarat Act 11 of 1960, Sec. 87.] Maharashtra.-In sub-section (3) of Sec. 18, for the words "a Magistrate of the first class", substitute "the District Magistrate". [Bombay Act VIII of 1954, Sec. 2 and Schedule, Part II (w.e.f. 10 th February. 1954): Act 11 of 1960.]